

**PATENT**

Case Docket No. ABIOS.001A

Date: December 3, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Sekar et al.  
Appl. No. : 10/628,879  
Filed : July 28, 2003  
For : FLUORESCENCE  
POLARIZATION ASSAY  
Examiner : Unknown  
Group Art Unit : 1641

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

December 3, 2003

(Date)

Andrew N. Merickel, Reg. No. 53,317

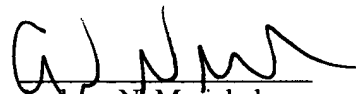
**TRANSMITTAL LETTER**

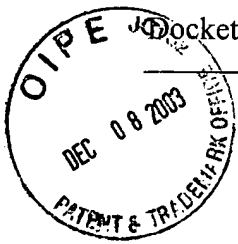
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with twenty-nine (29) references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

  
Andrew N. Merickel  
Registration No. 53,317  
Attorney of Record  
Customer No. 20,995  
(415) 954-4114

**INFORMATION DISCLOSURE STATEMENT**

|                |   |                                 |
|----------------|---|---------------------------------|
| Applicant      | : | Sekar et al.                    |
| App. No.       | : | 10/628,879                      |
| Filed          | : | July 28, 2003                   |
| For            | : | FLUORESCENCE POLARIZATION ASSAY |
| Examiner       | : | Unknown                         |
| Group Art Unit | : | 1641                            |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 29 references. Copies of disclosed U.S. patents and/or publications are not included pursuant to PTO waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of all other references, if listed, are enclosed.

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

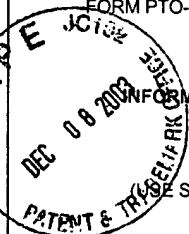
Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 3, 2003

By: 

Andrew N. Merickel  
Registration No. 53,317  
Attorney of Record  
Customer No. 20,995  
(415) 954-4114

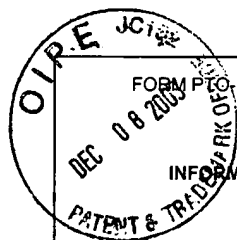
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|--|--|--|--------------------------------|-------------------------------|
|  | FORM PTO-1449                                    | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO.<br>ABIOS.001A | APPLICATION NO.<br>10/628,879 |
|  | INFORMATION DISCLOSURE STATEMENT<br>BY APPLICANT |  |                                |                               |
|  | APPLICANT<br>Sekar et al.                        |  | FILING DATE<br>July 28, 2003   |                               |

USE SEVERAL SHEETS IF NECESSARY)

| U.S. PATENT DOCUMENTS |    |                 |          |                          |       |          |                                 |
|-----------------------|----|-----------------|----------|--------------------------|-------|----------|---------------------------------|
| EXAMINER<br>INITIAL   |    | DOCUMENT NUMBER | DATE     | NAME                     | CLASS | SUBCLASS | FILING DATE<br>(IF APPROPRIATE) |
|                       | 1  | 5,989,823       | 11/23/99 | Jayasena et al.          |       |          |                                 |
|                       | 2  | 5,405,783       | 04/11/95 | Pirrung et al.           |       |          |                                 |
|                       | 3  | 5,445,934       | 08/29/95 | Fodor et al.             |       |          |                                 |
|                       | 4  | 5,445,935       | 08/29/95 | Royer                    |       |          |                                 |
|                       | 5  | 5,582,981       | 12/10/96 | Toole et al.             |       |          |                                 |
|                       | 6  | 5,641,633       | 06/24/97 | Linn et al.              |       |          |                                 |
|                       | 7  | 5,744,305       | 04/28/98 | Fodor et al.             |       |          |                                 |
|                       | 8  | 5,756,292       | 05/26/98 | Royer                    |       |          |                                 |
|                       | 9  | 5,792,613       | 08/11/98 | Schmidt et al.           |       |          |                                 |
|                       | 10 | 5,800,989       | 11/1/98  | Linn et al.              |       |          |                                 |
|                       | 11 | 5,840,867       | 11/24/98 | Toole et al.             |       |          |                                 |
|                       | 12 | 6,074,609       | 06/13/00 | Gavin et al.             |       |          |                                 |
|                       | 13 | 6,166,804       | 12/26/00 | Potyrailo et al.         |       |          |                                 |
|                       | 14 | 6,172,218 B1    | 01/09/01 | Brenner                  |       |          |                                 |
|                       | 15 | 6,261,783 B1    | 07/17/01 | Jayasena et al.          |       |          |                                 |
|                       | 16 | 6,309,701 B1    | 10/30/01 | Barbera-Guillem          |       |          |                                 |
|                       | 17 | 6,327,410 B1    | 12/04/01 | Walt et al.              |       |          |                                 |
|                       | 18 | 6,365,418 B1    | 04/02/02 | Wagner et al.            |       |          |                                 |
|                       | 19 | 20010033374     | 10/25/01 | Patent Application: Hoyt |       |          |                                 |

| FOREIGN PATENT DOCUMENTS |    |                 |          |         |       |          |             |    |
|--------------------------|----|-----------------|----------|---------|-------|----------|-------------|----|
| EXAMINER<br>INITIAL      |    | DOCUMENT NUMBER | DATE     | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|                          |    |                 |          |         |       |          | YES         | NO |
|                          | 20 | WO 00/61803     | 10/19/00 | PCT     |       |          |             |    |
|                          | 21 | WO 02/010750    | 02/07/02 | PCT     |       |          |             |    |
|                          | 22 | WO 02/030561    | 04/18/02 | PCT     |       |          |             |    |
|                          | 23 | WO 02/24959     | 03/28/02 | PCT     |       |          |             |    |

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|---|-----------------|
| EXAMINER  | DATE CONSIDERED |
| <p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p> |                 |



FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
ABIOS.001AAPPLICATION NO.  
10/628,879INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

(USE SEVERAL SHEETS IF NECESSARY)

APPLICANT  
Sekar et al.FILING DATE  
July 28, 2003GROUP  
1641

| EXAMINER<br>INITIAL | OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) |   |
|---------------------|--|---|
|                     | 24   | Sevenich et al., "DNA binding and oligomerization of NtrC studied by fluorescence anisotropy and fluorescence correlation spectroscopy," Nucleic Acids Research, 1998, vol 26, No. 6, pp. 1373-1381 |
|                     | 25   | Hesselberth et al., "In vitro selection of nucleic acids for diagnostic applications," Reviews in Molecular Biotechnology 74 (2000) 15-25, Elsevier.  |
|                     | 26   | Potyrailo et al., "Adapting Selected Nucleic Acid Ligands (Aptamers) to Biosensors," Anal. Chem. 1998, 70, pp. 3419-3425  |
|                     | 27   | Chinnapen et al, "Hemin-Stimulated Docking of Cytochrome c to a Hemin-DNA Aptamer Complex," Biochemistry 2002, 41, pp. 5202-5212  |
|                     | 28   | Yeakley et al., "Profiling alternative splicing on fiber-optic arrays," Nature Biotechnology, April 2002, Vol. 20, pp. 353-358  |
|                     | 29   | Zhou H, et al., "Solution and chip arrays in protein profiling." Trends in Biotechnology 2001 Oct;19(10 Suppl):S34-9.   |

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|---|-----------------|
| EXAMINER  | DATE CONSIDERED |
| <p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p> |                 |